

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

301, 712, 2103 AND 3151 LLC; 12 TWENTY-SECOND AND 1827 LASALLE LLC; 137 EAST SEVENTEENTH STREET LLC; 1522 LASALLE AVENUE LLC; 1728 SECOND AVENUE AND 1801 THIRD AVENUE LLC; 1806 AND 1810 THIRD AVENUE LLC; 1816, 1820 AND 1830 STEVENS AVENUE LLC; 1817 SECOND AVENUE LLC; 1900 AND 1906 CLINTON AVENUE LLC; 1924 STEVENS AVENUE LLC; 2020 NICOLLET AVENUE LLC; 2101 THIRD AVENUE LLC; 2323 AND 2401 CLINTON AVENUE LLC; 2417, 2423 AND 2439 BLAISDELL AVENUE LLC; 2427 BLAISDELL AND 2432 FIRST AVENUE LLC; 25 TWENTY-FIFTH STREET LLC; 2535 CLINTON AVENUE LLC; 2545 BLAISDELL AVENUE LLC; 2609 HENNEPIN AVENUE LLC; 2633 PLEASANT AVENUE LLC; 2720 PILLSBURY AVENUE LLC; 2738 AND 2750 PILLSBURY AVENUE LLC; 2809 PLEASANT AVENUE LLC; 600 FRANKLIN AVENUE LLC; AMY SMITH; BLAISDELL 3322, LLC; BLOOMINGTON 4035, LLC; BRYANT AVENUE PROPERTIES LLC; COLFAX APARTMENTS LLC; COLFAX VILLAS I, LLC; DUPONT PROPERTIES LLC; FLETCHER PROPERTIES, INC.; FRANKLIN VILLA PARTNERSHIP, L.L.P.; FREMONT APARTMENTS, LLC; FREMONT TERRACE

Case No. 0:20-cv-01904 (PAM/BRT)

JOINT STATUS REPORT
REGARDING PROGRESS OF
APPEAL

APARTMENTS, L.L.C.; GARFIELD
COURT PARTNERSHIP, L.L.P.;
GASPARRE NEW BOSTON SQUARE,
LLC; GATEWAY REAL ESTATE,
L.L.C.; JEC PROPERTIES, LLC;
LAGOON APARTMENTS, LLC; LL
LLC; NORTHERN GOPHER
ENTERPRISES, INC.; PATRICIA L.
FLETCHER, INC.; and RAY
PETERSON,

Plaintiffs,

v.

CITY OF MINNEAPOLIS,

Defendant.

Pursuant to the Court's Order dated December 16, 2020 (Dkt. No. 83), Plaintiffs and Defendant hereby jointly submit the following status report regarding the progress of Plaintiffs' Appeal pending before the United States Court of Appeals for the Eighth Circuit (Appeal No. 20-3493). Plaintiffs' Appeal was docketed on December 1, 2020 and Plaintiffs filed their Appellate Brief with Addendum and Joint Appendix on January 28, 2021. Defendant filed its Appellee Brief on April 1, 2021. Plaintiffs filed their Reply Brief on June 2, 2021. The Parties presented oral arguments on October 20, 2021 and are awaiting a decision from the Court.

In accordance with the Court's Order, the parties will submit another status report within ninety (90) days of the filing of this report, or by June 6, 2022, regarding the progress of the appeal.

Respectfully submitted,

COZEN O'CONNOR

/s/ Mark Jacobson

Mark Jacobson (#0188943)
E-mail: mjacobson@cozen.com
Steven Katkov (#0202769)
E-mail: skatkov@cozen.com
Cassandra M. Jacobsen (#0400120)
E-mail: cjacobsen@cozen.com
33 South Sixth Street, Suite 3800
Minneapolis, MN 55402
Telephone: 612.260.9000

Robert Hayes (PA #33099)

(admitted *pro hac vice*)

E-mail: rhayes@cozen.com

Calli Padilla (PA #312102)

(admitted *pro hac vice*)

E-mail: cpadilla@cozen.com

1650 Market Street, Suite 2800

Philadelphia, PA 19103

Telephone: 215-665-2000

Attorneys for Plaintiffs

Dated: March 8, 2022

JAMES R. ROWADER, JR.
City Attorney

/s/ Brian S. Carter

Brian S. Carter (#390613)
Assistant City Attorney
Minneapolis City Attorney's Office
City Hall, Room 210
350 South Fifth Street
Minneapolis, MN 55415
(612) 673-2063
E-mail:
brian.carter@minneapolismn.gov

Attorneys for Defendant